

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

AMENDMENT TO LOCAL RULE 5.2

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STANDING ORDER No. 04-4

ORDER

WHEREAS, certain provisions of the E-Government Act of 2002 (Pub. L. No. 107-347), as amended August 2, 2004 are inconsistent with the Local Rules of this Court regarding the redaction of personal identifying information; and, whereas, November 1, 2004 has been set as the date for district courts to implement the new Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files;

IT IS HEREBY ORDERED THAT:

- 1) Local Rule 5.2 is amended as attached.
- 2) Appendix A to the Local Rules is amended as attached.
- 3) In accordance with 28 U.S.C. § 2071(e), the Clerk shall promptly provide the public with a notice of the amendments and provide an opportunity for comment.



THOMAS I. VANASKIE, Chief Judge
Middle District of Pennsylvania

Dated: October 4, 2004

CHAPTER III

SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

LR 5.1 Size and Other Physical Characteristics of Papers and Other Documents.

Papers or other documents filed in this court, except original or true copies of exhibits, shall be on paper approximating eight and one-half (8½) inches by eleven (11) inches in size. Any paper or other document filed shall be sufficient as to format and other physical characteristics if it substantially complies with the following requirements:

(a) Prepared on white paper (except for covers, dividers, and similar sheets) of good quality with typed or printed matter six and one-half (6½) inches by nine and one-half (9½) inches.

(b) The first sheet shall contain a three (3) inch space from the top of the paper for all court stampings, filing notices, etc.

(c) The lettering or typeface shall be clearly legible and shall not be smaller than 14 point word processing font or, if typewritten, shall not be smaller than pica. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. The font type and size used in footnotes shall be the same as that used in the body of the brief. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there.

(d) The lettering or typeface shall be on only one (1) side of a page.

(e) All papers and other documents filed in this court shall be securely fastened with a paper clip, binder clip or rubber band. The use of plastic strips, staples or other such fasteners is prohibited, with the exception that administrative and judicial records may be firmly bound.

(f) Exhibits to a brief or motion shall accompany the brief or motion, but shall not be attached to or bound with the brief or motion. Exhibits shall be secured separately, using either lettered or numbered separator pages to separate and identify each exhibit. Each exhibit also shall be identified by letter or number on the top right hand corner of the first page of the exhibit. Exhibits in support of a pleading or other paper shall accompany the pleading or other paper but shall not be physically bound thereto. In all instances where more than one exhibit is part of the same filing, there shall be a table of contents for the exhibits.

(g) A proposed order shall accompany each motion or other request for relief, but shall not be fastened together.

(h) Each motion and each brief shall be a separate document.

(i) Exceptions to the provisions of this rule may be made only upon motion and for good cause or in the case of papers filed in litigation commenced *in forma pauperis*.

LR 5.2 Documents to be Filed with the Clerk.

(a) As to any document required or permitted to be filed with the court in paper form, only the original shall be filed with the clerk except that parties shall file an original and one copy of any document in excess of 200 pages.

(b) Any document signed by an attorney for filing shall contain under the signature line the name, address, telephone number, fax number, e-mail address (if applicable) and Pennsylvania or other state bar identification number. When listing the bar identification number, the state's postal abbreviation shall be used as a prefix (e.g., PA 12345, NY 246810).

(c) Documents shall not be faxed to a judge without prior leave of court. Documents shall

not be faxed to the clerk's office, except in the event of a technical failure with the court's Electronic Case Filing ("ECF") system. Technical Failure is defined as a malfunction of court owned/leased hardware, software, and/or telecommunications facility which results in the inability of a Filing User to submit a filing electronically. Technical failure does not include malfunctioning of a Filing User's equipment.

(d) A filed document in a case (other than a social security case) shall not contain any of the personal data identifiers listed in this rule unless permitted by an order of the court or unless redacted in conformity with this rule. The personal data identifiers covered by this rule and the required redactions are as follows:

1. **Social Security Numbers.** If an individual's Social Security Number must be included in a document, only the last four digits of that number shall be used;

2. **Names of minor children.** If the involvement of a minor child must be mentioned, only that child's initials shall be used;

3. **Dates of birth.** If an individual's date of birth must be included, only the year shall be used;

4. **Financial account numbers.** If financial account numbers must be included, only the last four digits shall be used.

Additional personal data identifier in a criminal case document only:

5. **Home addresses.** If a home address must be included, only the city and state shall be listed.

(e) A party wishing to file a document containing the personal data identifiers listed above may file in addition to the required redacted document:

1. a sealed and otherwise identical document containing the unredacted personal data identifiers, or
2. a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its(their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifier. The reference list must be filed under seal, and may be amended as of right.

The sealed unredacted version of the document or the sealed reference list shall be retained by the court as a part of the record.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review each document for redaction.